

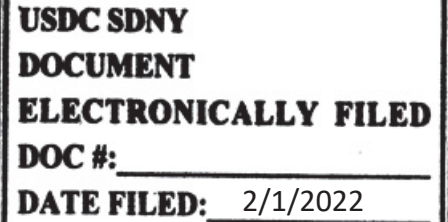


ATTORNEYS AT LAW

99 PARK AVENUE NEW YORK, NY 10016-1601

TEL: (212) 286-8585 FAX: (212) 490-8966

WWW.HPMB.COM



Gabrielle Apfel  
Associate  
gapfel@hpmb.com

February 1, 2022

**VIA ECF**

Magistrate Judge Stewart D. Aaron  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1970  
New York, NY 10007

Application GRANTED. The settlement conference scheduled for February 10, 2022 is adjourned until March 7, 2022 at 2:00 p.m. In addition, the parties' request for an extension of the discovery deadlines is granted and the proposed schedule is approved. SO ORDERED.

Dated: February 1, 2022

Re: Clayton Johnson v. Peter Wachtel, DO, et al.  
Docket No.: 20-CV-5913 (ALC) (SDA)  
Our File No.: 611-3291

Dear Judge Aaron:

Our firm represents Edna Katz, M.D., Peter Wachtel, D.O., Adam Litroff, D.O., Aslam Kadri, M.D., the City of New York, and New York City Health and Hospitals Corporation in the above-referenced matter. Defendants write to respectfully request a brief adjournment of the upcoming settlement conference, which is currently scheduled for February 10, 2022 at 10:00 a.m. (ECF 62).

Defendants require an adjournment of the settlement conference in order to obtain authority to settle this matter and make a counteroffer to plaintiff's initial demand in accordance with Section 6 of Your Honor's Settlement Conference Procedures. There have been no previous requests for an adjournment of the settlement conference and plaintiff's counsel has consented to defendants' request for an adjournment. Should the Court be inclined to grant defendants' request, the parties are available on February 28, 2022, March 7, 2022, and March 8, 2022 for the rescheduled settlement conference. The parties' preferred date is February 28, if that date works for the Court.

Additionally, the parties jointly request a 60-day extension of all discovery deadlines. The parties require additional time to complete all depositions and fact discovery, since plaintiff

2517064.1

Magistrate Judge Stewart D. Aaron  
Johnson v. Wachtel, et al.  
February 1, 2022  
Page 2



was recently deposed on January 26, 2022 and the parties have been engaging in settlement discussions. Currently, all depositions must be completed by March 22, 2022, and fact discovery must be completed by April 22, 2022. There have been no previous requests for an extension of the discovery deadlines.

Should the Court be inclined to grant the parties' request, the parties propose the following new deadlines for discovery:

- Depositions must be completed by May 23, 2022;
- Requests for admission must be served by May 23, 2022;
- All fact discovery must be completed by June 23, 2022; and
- Expert discovery shall be completed by October 26, 2022.

We thank the Court for its consideration of these requests.

Respectfully submitted,

A handwritten signature in black ink that reads "G Apfel". The signature is written in a cursive, flowing style.

Gabrielle Apfel

GA/ep